

Article - Environment

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§6–822.

(a) The provisions of this subtitle do not affect:

(1) The duties and obligations of an owner of an affected property to repair or maintain the affected property as required under any applicable State or local law or regulation; or

(2) The authority of a State or local agency to enforce applicable housing or livability codes or to order lead abatements in accordance with any applicable State or local law or regulation.

(b) (1) Notwithstanding § 6–803 of this subtitle, following an environmental investigation in response to a report of a lead poisoned person at risk, the Department or a local jurisdiction, including the local health department, may order an abatement, as defined in § 6–1001 of this title, in any residential property, child care center, family child care home, or preschool facility.

(2) No provision of this Act may be construed to limit the treatments which may be encompassed by an order to abate lead hazards.

(c) (1) Whenever there is a conflict between the requirements of an abatement order issued by a State or local agency to an owner of an affected property and the provisions of this subtitle, the more stringent provisions of this subtitle and of the abatement order shall be controlling in determining the owner's obligations regarding the necessary lead hazard reduction treatments that shall be performed in the affected property that is subject to the abatement order.

(2) The Department may enforce the terms of an abatement ordered by a local jurisdiction or local health department in a civil or an administrative action.

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